

WASHINGTON COUNTY COMMISSION
MEETING MINUTES
MARCH 20, 2012

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman Alan D. Gardner at 4:00 p.m. on March 20, 2012, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Chairman Alan D. Gardner, Commissioner James J. Eardley, Commissioner Dennis Drake, Washington County Administrator Dean J. Cox, Deputy County Attorney Eric Clarke, and Deputy County Clerk Christine Hall.

Commissioner Eardley led the Pledge of Allegiance.

AGENDA

CONSENT AGENDA:

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the Regular Agenda.

- Consideration of Auditor-Approved Claims for Payment for February 22, 2012, through March 20, 2012
- Consideration of Applications for Settlement or Deferral of Property Taxes (15)
Connie Esplin, S/N SG-RRMHE-2-36; Ashley Empey, S/N W-PVE-6-136;
Adonica Scott, S/N LV-ZVES-1-169; Larry Guy & Lorelei Rider, S/N 1-6-2-6-3221; Danton & Susan Wetzel, S/N SG-GV-2-210; Donald & Kent Bowcutt, S/N V-2144-A-5; Randal Hansen, S/N 7207-A-4; Joe Shakespear, S/N T-AHP-A-8; Wendell Nilson, S/N SG-1130-A; Desert Rose Properties/Wayne R. Bevan, S/N AV-1317-B and AV-1317-D; Bart & Laura Penrod, S/N H-WIN-3A and S/N H-WIN-2A; LaVell & Sharon Olson, S/N HG-318-C-3; David & Sheila Lems, S/N OTH-1-2-NW; C. R. Mortenson, various S/N (attached)
- Consideration of Applications for Property Tax Abatement (6)
Marilyn Anderson, S/N SG-SFE-3-83; Robert Keller, S/N H-QLE-115-A; Harley & Shauna Maxwell, S/N W-ORVS-1-2; LuDean Romney, S/N SG-SRS-4-147; John Riggs, S/N SG-SM-2-102; Sylvester & Jeanne Szczepanski, S/N H-SCAN-1-111; Finauga & Norma Amoca, S/N H-OFS-10
- Consideration of Administrative Adjustments / Personal Property (attached)
- Consideration of Administrative Adjustments: Real Property (attached)

Actions of the Washington County Planning Commission Meeting / 03-13-12

Conditional Use Permit Extension: Request permission for an exception to height limitations on a 60' silo and to establish a batch plant at Snowfield Rock

Products, which is an existing gravel-crushing operation north of Pintura. Tom Walbom/Granite Construction Company, applicant.

Access for haul trucks would be from the Snowfield (Ranch) Exit on I-15, with ingress and egress from an existing County or frontage road and a private easement. Sanitation and water needs for dust control will be addressed. The commission addressed operating hours and the number of haul trucks. The applicant is in contact with MSHA and EPA on a portable asphalt plant that will be reviewed and monitored when it is in place. The Planning Commission reviewed initial findings and site plan. The applicant indicated the Dixie Drive project should be completed in a couple of weeks, but they would like to bid on other projects in the area, so they asked for an extension for another year. The Planning Commission unanimously recommended approval for the 3rd extension of the gravel extraction by Granite Construction.

Conditional Use Permit Extension: Request permission for a bike ride Tour Del Sol to be held on Saturday, March 31, and April 1, 2012. The route will loop from St. George up Highway 18 to Veyo and back via the road from Veyo to Gunlock and Highway 91 to the Beaver Dam area and back to St. George. Spin Geeks, LLC/Red Rock Bicycle, applicant.

This is the third (3rd) extension on this event for Sunday, April 1st, 2012. It is a two-day event, with the first day being throughout the city and at the airport on Southern Parkway Corridor. On the second day of the event, the race is throughout the unincorporated area of the County from St. George to Veyo and Gunlock and back to St. George via Old Hwy 91. The applicant has taken care of all the community approvals. The route will impact some County roads and they will be doing a loop from St. George up Hwy. 18. There will be sanitary facilities at the beginning of each event. The County Sheriff's Department will need to be updated on this event and the County will need to be listed as a beneficiary on the liability insurance policy. There have been no direct complaints on this item. The Planning Commission unanimously recommended approval for an extension of the 3rd annual Tour Del Sol, subject to signage on advance notice of event and notification of Shauna Jones at the Washington County Sheriff's Office.

MOTION: Motion by Commissioner Drake to Approve the Consent Agenda, with the Exception of Three (3) Applications for Property Tax Abatement, which Are Denied, as follows: Marilyn Anderson, S/N SG-SFE-3-83; Robert Keller, S/N H-QLE-115-A; and Harley & Shauna Maxwell, S/N W-ORVS-1-2. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Gardner, Eardley, and Drake voting aye.

REGULAR AGENDA ITEMS FOR CONSIDERATION:

VOLUNTEER OF THE MONTH / CAROL HOLLOWELL

Washington County Volunteer Center Director Carol Hollowell asked for recognition for the Volunteer of the Month, Ms. Kathleen Bruin, for her twenty-two (22) years of service at the St. George branch of the Washington County Library. In addition, she has donated her time as a crossing guard for the Washington County School District for twenty-two (22) years. She received a twenty (20) year pin, as well. Ms. Bruin was not able to accept her certificate and pin in person, but her supervisor, Library Director Britton Lund, accepted on her behalf, adding that Ms. Bruin is an amazing and valuable person.

EMERGENCY SERVICES REPORT / CORY PULSIPHER

Sheriff Cory Pulsipher reported on seven (7) Search and Rescue call-outs since his last report, including a stuck motorist near Utah Hill, an overdue four-wheeling party on Black Mountain, a stranded motorist on Kolob Terrace Road, a hiker with a broken leg on Red Mountain in Ivins, a fall victim near Chuckawalla Trailhead, and a lost child in the Desert Reserve. A total of sixty-one (61) members responded with a total of two hundred and one (201) man hours and three (3) aircraft hours donated.

PROCLAMATION: APRIL 2012 IS CHILD ABUSE PREVENTION MONTH / PATRICIA SHEFFIELD

Children's Justice Center Director Patricia Sheffield read the Proclamation for Child Abuse Prevention Month and asked Commissioner Gardner to sign it. A copy is attached to these minutes.

PRESENTATION: HABITAT CONSERVATION PLAN STATUS REPORT / ROBERT SANDBERG

Habitat Conservation Plan (HCP) Director Robert Sandberg presented a PowerPoint slide show concerning the current status of the HCP in Washington County. Some highlights:

- The Red Cliffs Desert Reserve contains only one percent (1%) of the total population of the Desert Tortoise in the Mohave Desert, estimated at approximately thirteen (13) tortoises per square kilometer
- Nearly one-half of the tortoise population has been lost in the past decade due to fire and disease
- The Desert Tortoise was listed as threatened in 1990, and the HCP was created in 1996 in response to that listing when the County received a Take Permit from the U. S. Fish & Wildlife Service (USFWS). The HCP is a collaborative cooperation among the Bureau of Land Management (BLM), Washington County, USFWS, Utah Division of Wildlife Resources, Utah State Parks & Recreation, the School

- and Institutional Trust Lands Administration (SITLA), local communities and organization, and individuals
- Surveys are continuously conducted on the tortoise population for purposes of determining the incidence of disease, relocation of animals, and other reasons
 - The HCP is actively involved in outreach and educational programs
 - The boundary of the Reserve and any internal roads are required to be fenced to protect the tortoises
 - Non-motorized recreational activities are permitted within the Reserve
 - Washington County pays off-duty Sheriff's Office deputies to patrol the Reserve
 - Among the predators of the Desert Tortoise are snakes, roadrunners, Gila monsters, ravens, foxes, and coyotes. The young tortoises and eggs are particularly vulnerable
 - The HCP and its take permit will expire in 2016, and the USFWS is currently reviewing the HCP's records and documents in order to make a decision on its renewal
 - The HCP is funded through impact fees that are charged to developers and landowners who obtain building permits or plan subdivisions. Those revenues are down
 - The HCP office is at 10 North 100 East, where additional information, including trail maps, may be obtained. Its website is: www.redcliffsdesertreserve.com

PRESENTATION: WASHINGTON COUNTY WATER CONSERVANCY DISTRICT / STEVE MEISMER / VIRGIN RIVER PROGRAM

Mr. Steve Meismer with the Washington County Water Conservancy District (WCWCD) narrated a PowerPoint presentation concerning the Virgin River Program (VRP), of which he is the local coordinator. The Virgin River Program has been in existence approximately eleven (11) years, and he wanted to provide an update to the Commission. He said that the two (2) main goals of the program are to: implement actions to conserve, recover, protect, and enhance native species within the Virgin River Basin; and enhance the ability to provide adequate water supplies for sustaining human needs. There are nine (9) signatory partners within the VRP: the WCWCD, Utah Division of Natural Resources, U. S. Fish & Wildlife Service, National Park Service, Forest Service, BLM, the Washington County Farm Bureau, The Nature Conservancy, and the Dixie Conservation District.

A copy of Mr. Meismer's PowerPoint is available through the office of the Water Conservancy District.

PURCHASE REQUESTS/TREVOR COOMBS:

- Emergency Services, training \$16,600.00

- Regional Park, stall fronts 12,830.00
- Road Department, signs 17,016.69
- Tourism Office, purchase of vehicle (minus trade-in) 18,861.20

Regional Park Administrator Gerry Brown explained that replacing the stalls as they become worn is an ongoing expense.

All purchases are budgeted, bonded, or paid for through grant funds.

MOTION: Motion by Commissioner Eardley to Approve the Purchase Requests, as presented. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Gardner, Eardley, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2012-1623, A RESOLUTION APPROVING THE EXECUTION OF AN ELEVATOR SERVICE AGREEMENT BETWEEN SCHINDLER PLUS AND WASHINGTON COUNTY TO SERVICE THE ELEVATOR AT THE JUSTICE CENTER

Deputy Washington County Attorney Eric Clarke said that this agreement has been reviewed and approved by the Attorney's Office.

MOTION: Motion by Commissioner Eardley to Adopt Resolution No. R-2012-1623, A Resolution Approving The Execution Of An Elevator Service Agreement Between Schindler Plus And Washington County To Service the Elevator at the Justice Center. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Gardner, Eardley, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2012-1624, A RESOLUTION RATIFYING THE WASHINGTON COUNTY COG'S ENDORSEMENT OF AN EXPENDITURE TO PURCHASE A CORRIDOR IN CONJUNCTION WITH THE EAST DIXIE DRIVE EXTENSION PROJECT IN ST. GEORGE

This resolution, and the two (2) that follow, pertain to corridor acquisitions that were discussed and approved by the Washington County Council of Governments at its meeting on February 7, 2012.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2012-1624, A Resolution Ratifying The Washington County COG's Endorsement of an Expenditure to Purchase a Corridor in Conjunction With the East Dixie Drive Extension Project in St. George. Motion seconded by Commissioner Eardley and carried by

unanimous vote, with Commissioners Gardner, Eardley, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2012-1625, A RESOLUTION RATIFYING THE WASHINGTON COUNTY COG'S ENDORSEMENT OF AN EXPENDITURE FOR CORRIDOR STUDIES REGARDING THE LEEDS NORTH INTERCHANGE

These studies concern various corridors in the area of the Leeds North Interchange.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2012-1625, A Resolution Ratifying The Washington County COG's Endorsement of an Expenditure For Corridor Studies Regarding the Leeds North Interchange. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Gardner, Eardley, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2012-1626, A RESOLUTION RATIFYING THE WASHINGTON COUNTY COG'S ENDORSEMENT OF AN EXPENDITURE TO PURCHASE A CORRIDOR AT THE INTERSECTION OF SNOW CANYON PARKWAY AND SNOW CANYON DRIVE IN IVINS

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2012-1626, A Resolution Ratifying The Washington County COG's Endorsement of an Expenditure To Purchase a Corridor At the Intersection Of Snow Canyon Parkway And Snow Canyon Drive in Ivins. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Gardner, Eardley, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2012-1628, A RESOLUTION APPOINTING A MEMBER TO THE HABITAT CONSERVATION PLAN TECHNICAL COMMITTEE

Jeff Norton has resigned from his position as biologist on the Habitat Conservation Plan Technical Committee. The Habitat Conservation Plan Advisory Committee has recommended the appointment of Gary McKell to fill that position.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2012-1628, A Resolution Appointing Gary McKell To The Habitat Conservation Plan Technical Committee. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Gardner, Eardley, and Drake voting aye.

COMMISSIONERS' REPORT

No items were presented today.

PUBLIC WORKS OR ROAD BUSINESS

No items were presented today.

COUNTY DEVELOPMENT AND PLANNING BUSINESS

No items were presented today.

Request a Closed Session

None.

There being nothing further to come before the Commission, the meeting was adjourned at 5:28 p.m.

CHRISTINE S. HALL
DEPUTY CLERK

ALAN D. GARDNER
CHAIRMAN